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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,879	12/13/2004	Jean-Noel Audoux	09669/042001	1339

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EXAMINER	
FRANKLIN, JAMARA ALZAIDA	
ART UNIT	PAPER NUMBER
2876	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/517,879	AUDOUX ET AL.	
	Examiner	Art Unit	
	Jamara A. Franklin	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 4-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *5* is/are allowed.

6)☒ Claim(s) *1, 2, 4, and 6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *20070308*.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Acknowledgment is made of the amendment filed on January 31, 2006. Claims 1, 2, and 4-6 are currently pending.

Claim Objections

1. Claim 5 is objected to because of the following informalities:

in claim 5, line 6, substitute the second occurrence of "the" with --a--; and

in claim 5, line 7, substitute "blue" with --glue--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Linsenbardt et al (US 5,904,953) (hereinafter referred to as 'Linsenbardt').

Linsenbardt teaches:

a method of manufacturing a tape to which a plurality of elements are affixed by means

of a glue in a solid state, the method comprising a gluing step, in which elements are glued to a basic tape by means of a glue in a liquid state so as to obtain a glued tape, the method being characterized in that the gluing step is followed by:

a winding step in which the glued tape is wound while the glue is in a state between the liquid state and the solid state (inherently, any glue/adhesive is applied in a state between a liquid state and a state between liquid and solid for the purpose of adhesion when completely dry), so as to obtain a winded glued tape (col. 1, lines 44-48); and

a heating step in which the winded glue tape is heated so that the glue reaches the solid state (col. 1, lines 44-48).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 2, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linsenbardt in view of McCullough et al. (US 5,403,395) (hereinafter referred to as 'McCullough').

The teachings of Linsenbardt have been discussed above.

Linsenbardt lacks the teaching of a reel made of composite material.

McCullough teaches a reel made of composition material (col. 8, lines 48-58);

wherein the reel has a diameter bigger than 600mm; and

wherein the reel is made of fiberglass impregnated with epoxy resin (col. 8, lines 48-58).

One of ordinary skill in the art would have readily recognized that providing the Linsenbardt invention with a reel made up of composite materials would have been beneficial to possibly make a strong and reliable reel which is also cost-efficient for manufacture, thereby helping the cut the overall costs of manufacture of the tape. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Linsenbardt with the aforementioned teaching of McCullough.

Allowable Subject Matter

7. Claim 5 is allowable over prior art.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to teach or fairly suggest either alone or in combination thereof, a method of manufacturing a smart card, characterized in that the method comprises:

a gluing step, in which semiconductor devices are glued to a basic tape by means of a glue in a liquid state so as to obtain a glued tape;

a winding step, in which the glued tape is wound while the glue is in a state between the liquid state and a solid state, so as to obtain a winded glued tape;

a heating step, in which the winded glued tape is heated, so that the glue reaches the solid state;

a cutting step; and

an embedding step.

Response to Arguments

9. Applicant's arguments filed January 31, 2007 have been fully considered but they are not persuasive.

In response to the argument that "the...limitations explicitly require a plurality of elements affixed to a tape by a liquid", the examiner contends that the aforementioned recitation has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

In response to applicant's argument that the Linsenbardt invention is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if

not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, claim 1 of the instant invention is quite broad and is interpreted to be geared toward simply as a method for adhering an object to a tape. The Linsenbardt invention is also geared toward adhering an object to a tape.

In view of the aforementioned arguments, the rejection of claims 1, 2, and 4 remains.

10. Applicant's arguments with respect to the rejection of claim 5 have been fully considered and are persuasive. The rejection of claim 5 has been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jamara A. Franklin
Examiner
Art Unit 2876

JAF
March 12, 2007

MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800